

THE COMMONWEALTH OF MASSACHUSETTS

**DEPARTMENT OF PUBLIC HEALTH**  
***BUREAU OF COMMUNITY HEALTH AND  
PREVENTION***  
***PRIMARY CARE OFFICE***

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**Request for Response (RFR)**

**Program Description for the:**

**MASSACHUSETTS LOAN REPAYMENT PROGRAM FOR HEALTH  
PROFESSIONALS**

**Document Number: 904215**

**1.1 Procurement Scope and Description:**

The Massachusetts Department of Public Health (MDPH) Primary Care Office (PCO) through the Massachusetts Loan Repayment Program for Health Professionals (MLRP) seeks to assist qualified healthcare organizations in recruiting or retaining health professionals by funding repayment of educational loans incurred by the health professional. In return, the health professional makes a commitment to work at the eligible healthcare organization for a specified period of time.

The overall goal of the MLRP is to provide educational loan repayment as an incentive for health professionals to practice in communities where significant shortages of health care providers and barriers to access have been identified. The MLRP is funded by a grant from the federal Bureau of Health Professions and by state dollars. The Primary Care Office at MDPH administers two separate components of the MLRP as described below:

Both components below require that eligible primary care clinicians make a commitment of two years of full time work or the equivalent extended commitment of part time work (e.g. a 20-hour work week will mean a 4-year contract) providing services in an eligible health care organization.

- **Component A:** Loan repayment funds are available for a range of health professionals providing primary health care services such as physicians, nurse practitioners, physician assistants, mental health and oral health care providers. These health professionals must be employed by or have a contract to work in eligible public or non-profit healthcare organizations, located in a federally designated Health Professional Shortage Area (HPSA). Detailed information regarding **Component A** can be found within the Scope of Service section of this program description.
- **Component B:** This targeted oral health loan repayment program aims to increase access to oral health services among children and adults with intellectual disabilities. At the time of this posting, **Component B** funding is not available. If funding becomes available in the future, the department will reinstitute **Component B**.
- **Component C:** This is a Massachusetts initiated health care workforce loan repayment program for physicians and nurse practitioners providing primary care established by MGL Chapter 305 in the Acts of 2008 Section 25N and first funded in the FY 2009 state budget. Details about what constitutes an eligible health care organization for **Component C** are stated on pages 11-12 and include but are not limited to: health care organizations located in an area or community that has a federal designation as a Medically Underserved Area/Population (MUA/P) in MA; identified state facilities and other health care organizations that meet geographic or population specific criteria. Detailed information regarding **Component C** can be found within the Scope of Service section of this program description.

Health professionals qualifying and applying for any component of the MLRP cannot apply for, or benefit from, any other loan repayment program at the same time they are receiving funds from this program. This would include programs such as National Health Service Corps Programs or other state or federal workforce incentive programs.

Applications for both components will be accepted on an ongoing basis. Applications will be reviewed, and awards administered, bi-annually in the Spring and Fall. Application review dates and award dates will be posted annually.

While the MDPH directly contracts with the physician, nurse practitioner, dentist or other eligible health professionals, the application for this contract must be submitted jointly by the health professional and the health care organization where they are or have a contract to be employed. Both parties have contract obligations as described within the "Scope of Service" section. In addition, if the employer is different from the healthcare organization which is the site of employment, there also must be a letter of support and commitment from the employer health care organization.

***MDPH reserves the right to amend or change this program description, including criteria for eligible health care organizations (employers) depending on an on-going assessment of workforce needs.***

## **1.2 Background Information:**

The MLRP was implemented in 1990 with funding provided by the U.S. Department of Health and Human Services under Section 338I of the Public Health Service Act. More recently, additional state dollars have allowed for the inclusion of awards funded solely with state funding such as **Component C** within the MLRP.

The MLRP accepts applications submitted **jointly** by eligible health professionals and the eligible healthcare organizations. Applications are approved through a review process that includes community need and other qualification criteria, as noted in other sections of this document.

## **1.3 Whether Single or Multiple Contractors Are Required For Contracts:**

☒ Multiple Contractors / Health Professionals

## **1.4 Calendar Rule Type:**

Applications will be reviewed, and awards administered, bi-annually in the Spring and Fall. Application review dates and award dates will be posted annually.

**1.5 Acquisition Method:** ☒ Other (specify): Interested health professionals who provide primary care services must submit applications as detailed in the MLRP program guidelines.

### ***Submitting an Application***

In order to apply for any component of the MLRP, eligible health professionals must submit a completed and signed application **jointly** with the employing healthcare organization. If the health professional is a new hire, the application must include a signed contract between the health professional applicant and the employing organization, with a start date that is within approximately ninety days of the application submission to MDPH for this program description. Note that the PCO contract with the health professional will not be initiated before the start date at the employing agency. To be considered for the program, the employing healthcare organization and the health professional must meet all of the eligibility criteria listed below.

### ***Multiple Applications***

Health care organizations may have up to 3 applicants funded per calendar year.

## **1.6 Use of a Procurement by a Single or Multiple Departments: N/A**

## **1.7 Expected Duration of Contract:**

Contracts are established for a minimum of two years or 24 months from the time of contract initiation and up to four years - 48 months - in accordance with this program description.

## **6. Renewal Options:**

Individuals who are currently receiving or have previously received MLRP funds are eligible to reapply.

## **1.8 Anticipated Expenditures, Funding Or Compensation For Expected Duration**

**Please include the Estimated Value of Procurement (Including Anticipated Renewal Options)**

☒ Contract will NOT have a Maximum Obligation Amount (Rate Contract) Contracts are available for up to \$50,000 for each two-year full time contract, or its equivalent in a part time equivalent.

## **Will Federal Funds be used to fund any part of Contract(s)?**

☐ NO, ☒ YES Federal funding will be used for some contracts and when federal funding is used it will support up to 50% of the contract.

Payment through [Electronic Funds Transfer](#) is required for any contract awarded through this solicitation.

## 2.0 Procurement Calendar

Applications will be reviewed, and awards administered, bi-annually in the Spring and Fall. Application review dates and award dates will be posted annually.

## 3.0 Specifications

### *Submitting an Application*

In order to apply for any component of the MLRP, eligible health professionals must submit a completed and signed application **jointly** with the employing healthcare organization. If the health professional is a new hire, the application must include a signed contract between the health professional applicant and the employing organization, with a start date that is within approximately ninety days of the application submission to MDPH for this program description. Note that the PCO contract with the health professional will not be initiated before the start date at the employing agency. To be considered for the program, the employing healthcare organization and the health professional must meet all of the eligibility criteria listed below.

### *Awards*

Applicants may not request award amounts greater than their current outstanding educational loans. The PCO is particularly interested in receiving applications from eligible individuals who are culturally or linguistically competent for the community where they will be working; applicants providing certain behavioral/mental health care services; and applicants who are working in a rural area. Individuals who are currently receiving or have previously received MLRP funds are eligible to reapply. Eligible applicants for each component who do not receive an award initially will be considered for funding in the future should additional funds be made available. The employer (and site, if different from employer) will be evaluated for compliance with applicable sections of the program description, as well as ability of underserved populations to access services at that site.

Payments are made electronically to the health-professional-awardees' bank account. Generally payments are made in two installments over the contract period, based on documentation of service completed and certification by the employing healthcare organization. See the section ***Obligations of the Health Professional*** for additional details. Awards must be used directly toward repayment of the student loan identified for this contract. Applicants will be notified in writing regarding approval for an award and funding status.

### *Qualifying Educational Loans*

Qualifying educational loans are government and commercial loans for actual costs paid for tuition and reasonable educational and living expenses related to the undergraduate or graduate education of the participant leading to a degree in the health profession in which the participant will satisfy his or her LRP service commitment. Applicants must provide a copy of all qualifying loan documentation (e.g., promissory notes). Government loans are loans that are made by federal, state, county or city agencies that are authorized by law to make such loans.

If an applicant has consolidated loans or refinanced loans, the applicant must provide a copy of the original loan documentation to establish the educational purpose and contemporaneous nature of such loans. If an eligible educational loan is consolidated / refinanced with any other debt other than another eligible educational loan of the applicant, no portion of the consolidated/refinanced loan will be eligible for loan repayment.

Commercial loans are defined as loans made by banks, credit unions, savings and loan associations, insurance companies, schools, and other financial or credit institutions which are subject to examination and supervision in their capacity as lenders by an agency of the United States or of the State in which the lender has its principal place of business.

### *Taxation*

Awards made through this loan repayment program are exempt from federal and state taxation; this applies to both **Component A** and **Component C**. Please consult your tax information resources. Attached is information about legislative language that was enacted in 2004 exempting this award from taxation:

*Legislation, HR 4520, American Jobs Creation Act of 2004, sec. 320, which is entitled "Exclusion for Payments to Individual Under National Health Service Corps Loan Repayment Program and Certain State Loan Repayment Programs." Amendments made by this section apply to amounts received by an individual in taxable years beginning after December 31, 2003.*

*Section 108(f) of the Internal Revenue Code is as follows:  
"in the case of an individual, gross income shall not include any amount received under 338B(g) of the Public Health Service Act or under a State program described in section 338I of such Act.'."*

#### ***Obligations of the MDPH***

Subject to the availability of funds and compliance with this program description and its Scope of Service, the MDPH agrees to:

- a. Compensate the health professional in accordance with the terms of the Massachusetts Loan Repayment Program for Health Professionals and its two components.
- b. Make electronic payments to the health professional upon verification of contract compliance and in accordance with program guidelines.
- c. In the event funds to finance this agreement become unavailable, the Department may terminate the agreement upon at least 14 days written notice to the employer and the health professional. Said notice shall be delivered by certified mail, return receipt requested or in person with proof of delivery. The Department shall be the final authority as to the availability of funds.

From this point on the program description is divided specific to Component A and Component C. Language that applies to both Components will resume again on page 14 with the section Performance Requirements.

For Component C specific information see page 10. Component C is applicable only to Physicians and Nurse Practitioners.

#### **COMPONENT A DETAILED INFORMATION: SCOPE OF SERVICE**

Health professionals must perform their service obligation at an eligible healthcare organization located in a Health Professional Shortage Area (HPSA) that is appropriate for their discipline (e.g. dental health professionals must be placed in dental HPSAs; mental health professionals in mental health HPSAs). All FQHCs that are considered "auto-HPSA" designated by the federal Shortage Designation Branch (SDB) are eligible for placement of all three disciplines. For example an auto-HPSA designated FQHC is eligible for awards to dental, mental health and primary care health professionals.

The health professional is required to sign a contract with the MDPH for the two year period of full-time service, or for the agreed upon hours/week of part-time service that will equal two years of full time service. The contract time period will be extended to account for applicant-awardees who work part-time for at least 20 hours / week. A list of eligible employment sites for Component A can be found in Healthcare Organization / Employer Qualification section.

#### ***Award Amount***

Physicians, psychologists, dentists, nurse practitioners and physician assistants are eligible for up to \$25,000 per year (\$50,000 total award over two years). All other qualified health professionals are eligible for up to \$20,000 per year (\$40,000 total award over two years). Please refer below to the section ***Health Professional Qualifications*** for clarification of eligible health professions.

#### ***Health Professional Qualifications***

Eligible health professionals for Component A include the following, and must be attested to on the health professional application form:

CNMs	Certified Nurse-Midwives
CPs	Licensed Clinical or Counseling Psychologists (Ph.D. or equivalent)

<b>DDs</b>	General Practice Dentists (D.D.S. or D.M.D.)
<b>DHs</b>	Registered Clinical Dental Hygienists
<b>DOs</b>	Doctors of Osteopathic Medicine
<b>LiCSWs</b>	Licensed Clinical Social Workers (master's or doctoral degree in social work)
<b>LPCs</b>	Licensed Professional Counselors (master's or doctoral degree with a major study in counseling)
<b>MDs</b>	Doctors of Allopathic Medicine
<b>MFTs</b>	Marriage and Family Therapists (master's or doctoral degree with a major study in marriage and family therapy)
<b>MHCs</b>	Mental Health Counselors
<b>NPs</b>	Primary Care or Psychiatric Certified Nurse Practitioners
<b>PAs</b>	Primary Care Physician Assistants
<b>PNS (PsychCNSs)</b>	Psychiatric Nurse Specialists

The approvable primary care specialties for physicians are family medicine and osteopathic general practice, internal medicine, pediatrics, obstetrics/gynecology, and psychiatry. Applicants must have completed a course of study required to practice independently without supervision.

General practitioners (physicians who have not completed residency training programs) are **not** eligible for funding under the MLRP.

A Be a United States Citizen

B Must perform their service obligations at an eligible site, i.e., public or non-profit private entity located and providing primary health services in a current federally designated HPSA that is appropriate for their discipline (e.g., dental providers must be placed in dental HPSAs; mental health providers in mental health HPSAs)

C Must agree to provide primary health services to any individual seeking care; agree not to discriminate on the basis of the patient's ability to pay for such care or on the basis that payment for such care will be made pursuant to Medicare (established in Title XVIII of the Social Security Act), or Medicaid (Title XIX of such Act), or the State Children's Health Insurance Program (Title XXI of such Act); and must perform their service obligation at an eligible site (see [Healthcare Organization/Employer Qualifications](#) below).

D Have a current and non-restricted license to practice in the Commonwealth of Massachusetts; any licensed health professional who has knowledge of a current investigation into his/her professional conduct must wait until the investigation is completed before applying.

E Not have a judgment lien against her/his property for a debt to the United States; any licensed health professional who is currently being investigated would need to wait until the investigation is completed before applying.

F Must not have an outstanding contractual obligation for health professional service to the Federal Government (e.g., an active military obligation, National Health Service Corps (NHSC) Loan Repayment Program, NHSC Scholarship Program, NELRP or Nursing Scholarship Program obligation), or a State or other entity including the Massachusetts Community Health Center Primary Care Loan Repayment Programs, unless that service obligation will be completely satisfied before the contract has been signed.

G Be aware that certain bonus clauses in employment contracts may impose a service obligation. If the health professional's military training and/or service, in combination with the participant's other absences from the service site, exceed 35 workdays per service year, the MLRP service obligation should be extended to compensate for the break in "full-time" service.

H Must not have an existing obligation to any other federal, state or local government or other entity for health professional service, unless the obligation is completely satisfied prior to the beginning of service to the MLRP.

I Must not have a history of failing to comply with, or inability to comply with, service or payment obligations.

J Individuals in the Reserve Component of the U.S. Armed Forces or National Guard are eligible to participate in the MLRP.

K MLRP participants **cannot** have:

1. defaulted on any Federal payment obligations (e.g., Health Education Assistance Loans, Nursing Student Loans, Federal income tax liabilities, FHA loans, etc.) even if the creditor now considers them to be in good standing; or any state obligations such as tax or support payments;
2. breached a prior service obligation to the Federal/State/local government or other entity, even if they subsequently satisfied the obligation; and
3. had any Federal debt written off as uncollectible (pursuant to 31 U.S.C. 3711(a) (3)) or had any Federal service or payment obligation waived.

### ***Healthcare Organization/Employer Qualifications for Component A***

Component A- Eligible employer organizations or sites must be public or private non-profit, located in a federally designated Health Professional Shortage Area (HPSA), and meet Massachusetts licensing requirements to provide services. Eligible organizations may include a licensed mental health clinic, a primary health care provider including and not limited to federally qualified community health centers (FQHC), FQHC-Look-alikes that have a federal Auto-HPSA designation, or community hospitals in HPSAs employing outpatient health professionals who meet the health professional requirements of the MLRP. The automatic HPSA designation applies to FQHCs and certified Rural Health Clinics (RHCs) that meet the requirements of section 254g of the PHS Act (i.e., do not discriminate against patients based on inability to pay, accept Medicare/Medicaid/SCHIP assignment, use a sliding fee scale). Applications must include documentation of site's patient payor mix.

- For a list of current Massachusetts HPSAs go to: <http://bhpr.hrsa.gov/shortage/>

The employer organization for **Component A** must provide assurance that:

1. The services will be provided in a public or non-profit organization that holds all necessary MDPH licenses.
2. The employer (and billing entity if different) participates in MassHealth and complies with the regulations governing MassHealth; accepts Medicare; and accepts patients enrolled in Commonwealth Care programs.
3. The employer (and billing entity if different) is certified as a provider by MassHealth and has a rate established by the Division of Health Care Finance and Policy; and is in compliance (good standing) with MassHealth regulations and certifications.
4. The employer operates full-time with hours designed to meet the needs of the community (such as late afternoon, evening, weekend, or early morning hours); and either provides directly or has formal contractual arrangements for after-hour, weekend and holiday urgent, emergency, and acute care.
5. Applicant employer organization (and billing entity if different) must charge for their professional services at the usual and customary prevailing rates in the area in which such services are provided, except that if a person is unable to pay such charge, such person shall be charged at a reduced rate using a schedule of fees for those at various income levels and will display a notice of availability of discounted fees for the uninsured (i.e., discounted sliding fee scale) or not charged any fee. Healthcare organizations or agencies must provide documentation of sliding fee scale and policy.
6. The employer agrees to provide primary care services (e.g. dental, medical, mental health care) to any individual seeking care. MLRP awardees and employer (and site if different) must agree not to discriminate on the basis of the patient's ability to pay for such care or on the basis that payment for such care will be made pursuant to Medicaid/MassHealth, the State Children's Health Insurance Program and/or the Commonwealth Care Programs, and Medicare.

### ***Obligations of the Health Professional***

Applicants become participants in the MLRP on the date the MDPH countersigns the MLRP contract. The applicant's signature alone on this contract does not constitute the contractual agreement. Other obligations include the following:

- a. Make lender information available to the MDPH for the purpose of verifying outstanding loan amounts, and confirming the use of the award toward the health professional's outstanding loan balance - see point b.
- b. AWARDS MUST BE POSTED TO THE RELEVANT OUTSTANDING LOAN WITHIN THIRTY DAYS OF PAYMENT FROM MDPH. The applicant must be able to provide evidence to the PCO that the entire award has been posted to the educational loan account within 30 days of the payment date to the health professional's bank account.
- c. Notify the PCO at least two weeks prior to the start of a scheduled leave of 30 days or more (e.g., family, medical, personal, military). The following information should be included in the notice: type of leave, start date, end date or estimated end date, and whether the leave is paid or unpaid. The time spent on extended leave from clinical practice will not count toward the health professional's MLRP obligation. In this event, the Department will extend the end date of this contract to ensure that the health professional delivers 24 months of clinical primary health care services.
- d. Maintain current contact information on file with the PCO including email, telephone and USPS mailing address. Notify the PCO within ten days of a change of home address, banking information or other relevant contractual information.
- e. After the contract term has ended, respond to reasonable requests for information from MDPH, including surveys, practice type, and professional experiences.

The Health Professional must agree to:

- f. Work at least **40 hours/week** or reduce the weekly time commitment in exchange for an increase in the period of the service commitment/contract (e.g. a 20-hour work week will mean a 4-year contract). Note that a reduced weekly time commitment cannot be less than 20 hours per week (0.5 FTE).
- g. Provide the equivalent of two years (24 months) of full time or part-time (as noted above) professional health services in clinical practice as an employee of the eligible healthcare organization. Full-time work as defined by the healthcare organization must include the following:
  - All duties must take at least 40 hours per week; (or part-time prorated to equal two years of full-time service commitment).
  - At least 32 hours per week must be spent providing clinical services at the approved healthcare organization during normally scheduled office hours. For OB/GYN physicians, family practice physicians who practice obstetrics on a regular basis and CNMs, at least 21 of the minimum 40 hours per week must be spent providing direct patient care. The remaining time must be spent providing inpatient care to patients of the approved healthcare organization, and/or in practice related administrative activities not to exceed 8 hours per week;
  - No more than 7 weeks (35 workdays) per year can be spent away from the practice for vacation, holidays, continuing professional education, illness, or any other reason. Absences greater than 7 weeks in a MLRP repayment service year will extend the service commitment end date;
  - Time spent "on-call" does not count towards full-time; and
  - Hours worked over the required 40 hours per week will not be applied to any additional workweeks.
- i. Perform their service obligations at an eligible site located in a current federally designated HPSA that is appropriate for their discipline (e.g., dental providers must be placed in dental HPSAs; mental health providers in mental health HPSAs).

For all health professionals, "full-time clinical practice" is defined as a minimum of 40 hours per week of patient care at an approved service site, with no more than 8 of those hours per week devoted to practice related administrative activities. The full time clinical practice includes hospital treatment coverage appropriate to meet the needs of patients of the approved service site and to ensure continuity of care.

Clinicians who are working less than fulltime clinical practice must work at least 20 hours / week.



### ***Obligations of the Healthcare Organization/Employer***

All obligations must be adhered to, including notification to the PCO if there are any changes in the healthcare organization's status or the employment status of the health professional.

The Employer agrees to:

- a. Offer salaries to participating eligible health professionals at reasonable market rates, maintain salary levels at the rate previously agreed upon by the employer and applicant, and use MLRP incentives to supplement, but not supplant the employer's customary salary or benefit levels. The employer certifies that salaries and benefits afforded to employees receiving loan repayment incentives are identical to those received by other similarly qualified and situated employees.
- b. Maintain the employment of the health professional for the length of service required under the terms of this agreement, except in the case of the health professional's incompetence, misconduct or other gross violation of the employment contract.
- c. Notify the PCO in writing at least two weeks prior to start of a scheduled leave of 30 days or more (e.g., family, medical, personal, military). The following information should be included in the notice: type of leave, start date, end date or estimated end date, and whether the leave is paid or unpaid. The Department will extend the end date of this contract to ensure that the health professional delivers two years of full-time clinical primary health care services.
- d. Maintain the practice schedule of the health professional at the practice site for the number of hours per week and length of service specified in this agreement. Any change in practice circumstances is subject to the approval of the Department based upon the policies of the MLRP (see page 6 for detail about Healthcare Organization/Employer qualifications). The employer **must notify the PCO and receive approval for any changes**, at least two weeks in advance of any consideration of permanent changes in the sites or circumstances of the health professional's practice under this agreement.
- e. Notify the PCO at MDPH in writing immediately of the date and circumstances of any early termination of employment or any other substantial change in conditions of employment.
- f. Provide, or ensure that the health professional is provided with space and equipment suitable for the adequate provision of services.
- g. The organization providing the site of employment, if different from the employer, shall agree to promptly notify the PCO in writing of any known termination of employment or other violation of the terms and conditions of the program description, make a good faith effort to ensure compliance with the terms and conditions of the program description, and provide space and equipment suitable for the adequate provision of services.

### ***Component A Suspension, Breach, or Termination of the Contract***

1. The health professional is required by federal law to pay monetary damages to the MDPH, within one year from the time of the default, as noted below, if s/he fails to fulfill her/his service obligation. Failure to commence or complete service obligations will result in liability for funds to be repaid for both Federal and State funds provided for loan repayment. A schedule for repayment shall be established by MDPH if repayment has not begun within three months of notification that payment is due.
2. The federal language for breach of contract applicable to Component A, is found at 42 U.S.C. 254o(c)(1) and is summarized below:

A participant who breaches MLRP obligation will be subject to paying an amount equal to the sum of the following:

- a. the total of the amounts paid by the MLRP to, or on behalf of, the participant for loan repayments for any period of obligated service not served;
  - b. an amount equal to the number of months of obligated service not completed multiplied by \$7,500; and
  - c. interest on the above amounts at the maximum legal prevailing rate, as determined by the treasurer of the United States, from the date of breach, except that the amount to recover will not be less than \$31,000.
3. The Health Professional also may be in default and may be obligated to pay a penalty as outlined above if s/he demonstrates gross incompetence as determined by the site of employment, grossly violates

employer or practice site personnel policies, or fails to comply with Massachusetts professional licensing requirements or the requirements of the program description.

4. All service obligations and penalties shall terminate upon the death of the health professional.
5. The health professional may be granted a temporary suspension of the MLRP obligation, consistent with the policies of the employing healthcare organization, if s/he must interrupt her/his service commitment because of a personal or immediate family illness or other emergency situation. Contract suspension will cover only the period of the medical or other emergency.
6. Transfer requests are considered in extreme situations on a case by case basis. Health professionals are expected to honor their contracts with the healthcare organizations and the MDPH. An example of when a transfer request might be considered is the closure of the healthcare organization. Should a transfer request be approved, the health professional will be expected to continue the service at another qualified site that is both eligible and able to employ the health professional.
7. If the health professional leaves the employing healthcare organization/site without prior approval from MDPH, s/he will be placed in default. See the section "Obligations of the Health Professional" on page 7. Any change in employment other than a temporary suspension as described in item 5 above, or a transfer request as described in item 6 above, is considered a breach of contract.

Failure to comply with the terms and conditions of the program description and contract shall be regarded by the Department as a significant factor in determining the suitability of the health professional, the employer (and site, if different) for future applications.

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**See Pages 15-16 for Performance Requirements and Instructions for Submission of Responses**  
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## COMPONENT C DETAILED INFORMATION

### ***Award Amount***

Awards up to \$25,000 per year for a two-year full-time employment contract will be made. The maximum award amount is \$50,000 over a 2 year full-time commitment period. The contract time period will be extended to account for applicants who are working part-time for at least 20 hours/week. A list of eligible employment sites for Component C can be found in section Healthcare Organization/Employer Qualifications.

### ***Submitting an Application***

In order to apply for the MLRP-Component C, eligible health professionals must submit a completed and signed application jointly with the employing healthcare organization. If the health professional is a new hire, the application must include a signed contract between the health professional applicant and the employing organization with a start date that is within approximately ninety days of the application submission to MDPH for this program description. Note that the PCO contract with the health professional will not be initiated before the start date at the employing agency. To be considered for the program, the employing healthcare organization and the health professional must meet all of the eligibility criteria listed below.

### ***Health Professional Qualifications***

Eligible health professionals for Component C include the following:

- a Primary care physician specialties: family practice, internal medicine, pediatrics, psychiatry or obstetrics/gynecology. Please note: General practitioners, physicians who have not completed residency training programs, are not eligible for MLRP funding.

In addition to psychiatrists and psychiatric nurse clinicians (adult or child focused) practicing within public-sector or not-for-profit out-patient or community settings, psychiatrists who currently work or have a contract to work within Department of Mental Health inpatient settings and who also provide community coordination and/consultation as part of their public sector clinical work are also eligible for loan repayment under this component.

Advanced Practice Nursing: family nurse practitioners, adult nurse practitioners, geriatric nurse practitioners, pediatric nurse practitioners, certified-nurse midwives, women's health nurse practitioners, psychiatric nurse clinicians. APNs with other specialties who provide primary care will be approved on a case by case basis.

- b. Applicants must attest to their professional eligibility as a part of the application form.
- c. Must be a United States Citizen or be a legal permanent resident.
- d. Must perform their service obligations at an eligible site as listed on page 11.
- e. Must agree to provide primary health care services to any individual seeking care; agree not to discriminate on the basis of the patient's ability to pay for such care or on the basis that payment for such care will be made pursuant to Medicare (established in Title XVIII of the Social Security Act), or Medicaid (Title XIX of such Act), or the State Children's Health Insurance Program (Title XXI of such Act).
- f. Have a current and non-restricted license or certificate to practice in the Commonwealth of Massachusetts; any licensed health professional who has knowledge of a current investigation into his/her professional conduct must wait until the investigation is completed before applying. All APNs must have a nursing license for advanced practice and current certification.
- g. If certification and licensure is pending, the applicant may be given provisional acceptance.
- h. Not have a judgment lien against her/his property for a debt to the United States; any licensed health professional who is currently being investigated would need to wait until the investigation is completed before applying.
- i. Must not have an outstanding contractual obligation for health professional service to the Federal Government (e.g. active military obligation, National Health Service Corps (NHSC), Nursing Education Loan Repayment or Nursing Scholarship Program obligation), or other Federal, State or local government or other entity including the Massachusetts Community Health Center Primary Care Loan Repayment Program, for health professional services unless that service obligation will be completely satisfied prior

to contract initiation with the MLRP. Be aware that certain bonus clauses in employment contracts may impose a service obligation.

- j. If the MLRP participant's military training and/or service, in combination with the participant's other absences from the service site exceed 35 workdays per service year, the MLRP service obligation will be extended to compensate for the break in service.
- k. Must not have a history of failing to comply with, or inability to comply with service or payment obligations.
- l. Individuals in the Reserve Component of the U.S. Armed Forces or National Guard are eligible to participate in the MLRP.
- m. MLRP applicants **cannot** have:
  - 1. Defaulted on any federal payment obligations (e.g., Health Education Assistance Loans, Nursing Student Loans, Federal income tax liabilities, Federal Housing Administration loans, etc.) even if the creditor now considers them to be in good standing; or any state obligations such as tax or support payments.
  - 2. Breached a prior service obligation to the federal/state/local government or other entity, even if they subsequently satisfied the obligation, or had any federal service or payment obligation waived.
  - 3. Had any federal debt written off as uncollectible (pursuant to 31 U.S.C. 3711(a) (3)).

### ***Healthcare Organization/Employer Qualifications***

Depending on the number and eligibility of applicants for Component C as well on-going assessments of need and specific shortages, MDPH reserves the right to also fund physicians and nurse practitioners who meet the eligibility criteria for Component A with funds available for Component C.

**Component C** eligible not-for-profit, non-profit, public sector and relevant private or group practices or clinics which are the healthcare employer organizations or worksites must meet one or more of the following:

- Health care organizations located in a geographic area or community that is federally designated as a Medically Underserved Area/Population (MUA/P) or a Health Professional Shortage Area.
- Other health care agencies and organizations not located in a HPSA or MUA/P may be eligible if they provide documentation that greater than 30% of the patients served by site are located in HPSAs or MUA/Ps, and provide documentation of site's patient payor mix.
- Outpatient primary care practices of small rural hospitals. Rural Hospitals are defined as: "an acute care hospital licensed under M.G.L. c. 111, § 51, which: (1) has 50 or fewer licensed beds and based on the published United States Census 2000 data of the US Census Bureau is in a city or town whose population is less than 20,000 and is located within a city, town, service area, or County whose population density is less than or equal to 500 people per square mile and which applies for such a designation; or (2) is a hospital designated as a Critical Access Hospital as of July 1, 2005 by the Federal DHHS in accordance with federal regulations and state requirements."
- Public Sector Health Facilities: Component C supports eligible health professionals who are working in public sector, non-federal, facilities.

The employer must provide assurance that they will comply with each of the following:

- a. The services will be provided in a public, non-profit or not-for-profit organization that holds any necessary MDPH licenses OR will be a private or group practice that meets one of the eligibility criteria noted above.
- b. The employer (and billing entity if different) participates in MassHealth and complies with the regulations governing MassHealth; accepts Medicare; accepts patients participating in Commonwealth Care programs; and the employer organization (and billing entity if different) must charge for their professional services at the usual and customary prevailing rates in the area in which such services are provided, except that if a person is unable to pay such charge, such person shall be charged at a reduced rate using a schedule of fees for those at various income levels and will display a notice of availability of discounted fees for the uninsured (i.e. discounted sliding fee scale) or not charged any fee. Healthcare organizations or agencies must provide documentation of fee schedule or sliding fee scale and policy.
- c. The employer (and billing entity if different) is certified as a provider by MassHealth, has a rate established by the Division of Health Care Finance and Policy; and is in compliance (good standing) with MassHealth regulations and certifications.
- d. The employer if an out-patient or community setting operates full-time with hours designed to meet the needs of the community (such as late afternoon, evening, weekend, or early morning hours); has formal

contractual arrangements for after-hour, weekend and holiday urgent and emergency care coverage, and for acute care.

- e. The employer agrees to provide primary care services as provided by the eligible health professionals and defined in this program description to any individual seeking care. MLRP awardees and employer (and site if different) must agree not to discriminate on the basis of the patient's ability to pay for such care or on the basis that payment for such care will be made pursuant to Medicare, Medicaid/MassHealth, the State Children's Health Insurance Program, the Commonwealth Care Programs and/or through the sliding fee scale.

### ***Obligations of the Health Professional***

**MLRP Start Date:** Applicants become participants in the MLRP on the date the Primary Care Office (PCO) countersigns the MLRP contract. The applicant's signature alone on this contract does not constitute the contractual agreement. A copy of the signed complete signed contract will be sent to the awardees.

Other obligations include the following:

- a. Make lender information available to the MDPH for the purpose of verifying outstanding loan amounts, as well as confirming the use of the award toward the health professional's outstanding loan balance.
- b. Notify the PCO at least two weeks prior to the start of a scheduled leave of 30 days or more (e.g., family, medical, personal, military). The following information should be included in the notice: type of leave, start date, end date or estimated end date, and whether the leave is paid or unpaid. The time spent on extended leave from clinical practice will not count toward the health professional's MLRP obligation. In this event, the PCO will extend the end date of this contract to ensure that the health professional delivers 24 months of clinical primary health care services.
- c. Notify the PCO within ten days of a change of home address, banking information or other relevant contractual information.
- d. AWARDS MUST BE POSTED TO THE RELEVANT LOAN WITHIN THIRTY DAYS OF PAYMENT FROM MDPH. Awardees must be able to provide evidence to the PCO that the entire award has been posted to the student loan account within 30 days of the payment date to the awardees' bank account.
- e. After the contract term has ended, respond to reasonable requests for information from the PCO regarding practice type, site, and professional experiences in order to facilitate periodic evaluation of the MLRP.

MLRP participants must agree to:

- a. Work at least **40 hours/ week** or reduce the weekly time commitment in exchange for an increase in the period of the service commitment/contract (e.g. a 20-hour work week will mean a 4-year contract). Note that a reduced weekly time commitment cannot be less than 20 hours per week (0.5 FTE).
- b. Provide the equivalent of two years (24 months) of full time or part-time (as noted above) professional health services in clinical practice as an employee of the eligible healthcare organization. Full-time work as defined by the healthcare organization must include the following:
  - All duties must take at least 40 hours per week; (or part-time prorated to equal two years of full-time service commitment).
  - At least 32 hours per week must be spent providing clinical services at the approved healthcare organization during normally scheduled office hours. For OB/GYN physicians, family practice physicians who practice obstetrics on a regular basis and CNMs, at least 21 of the minimum 40 hours per week must be spent providing direct patient care. The remaining time must be spent providing inpatient care to patients of the approved healthcare organization, and/or in practice related administrative activities not to exceed 8 hours per week.
  - No more than 7 weeks (35 workdays) per year can be spent away from the practice for vacation, holidays, continuing professional education, illness, or any other reason. Absences greater than 7 weeks in a MLRP repayment service year will extend the service commitment end date.
  - Time spent "on-call" does not count towards full-time.
  - Hours worked over the required 40 hours per week will not be applied to any additional workweeks.
- c. Provide full-time or part-time primary health care service or clinical practice in an eligible site as noted on page 14. For physicians, the practice will include ambulatory care, as well as hospital care appropriate to meet the needs of patients and to assure continuity of care.
- d. Must perform their full service obligation at an eligible site as noted on page 11-12.

- e. For those physicians and nurses who are working less than full time clinical practice the amount of time worked, not less than 20 hours per week, the administrative/clinical hours will be pro-rated.

#### ***Obligations of the Healthcare Organization/Employer***

All obligations must be adhered to, including notification to the PCO if there are any changes in the healthcare organization's status or the employment status of the MLRP participant. Also see pages 11-12 for detail about Healthcare Organization/Employer qualifications.

The Healthcare Organization/Employer agrees to:

- a. Offer salaries to eligible MLRP participants at reasonable market rates, maintain salary levels at the rate previously agreed upon by the employer and applicant, and use MLRP incentives to supplement, but not supplant the employer's customary salary or benefit levels. The employer certifies that salaries and benefits afforded to employees receiving loan repayment incentives are identical to those received by other similarly qualified and situated employees;
- b. Maintain the employment of the MLRP participant for the length of service required under the terms of this agreement, except in the case of the health professional's incompetence, misconduct or other gross violation of the employment contract;
- c. Notify the PCO in writing at least two weeks prior to start of a scheduled leave of 30 days or more (e.g., family, medical, personal, military). The following information should be included in the notice: type of leave, start date, end date or estimated end date, and whether the leave is paid or unpaid. The PCO will extend the end date of this contract to ensure that the health professional delivers two years of full-time clinical primary health care services;
- d. Notify the PCO in writing immediately of the date and circumstances of any early termination of employment or any other substantial change in conditions of employment (see also b. above);
- e. Maintain the practice schedule of the MLRP participant at the practice site for the number of hours per week and length of service specified in this agreement. Any change in practice circumstances is subject to the approval of the PCO based upon the policies of the MLRP. The employer must notify the PCO and receive approval for any changes, at least two weeks in advance of any consideration of permanent changes in the sites or circumstances of the MLRP participant's practice under this agreement. Employer/provider sites must adhere to the Healthcare Organization/Employer Qualifications located on pages 11-12;
- f. The health care organization providing the site of employment, if different from the employer, shall agree to promptly notify the PCO in writing of any known termination of employment or other violation of the terms and conditions of the program description, make a good faith effort to ensure compliance with the terms and conditions of the program description, and provide space and equipment suitable for the adequate provision of services.

#### ***Component C Suspension, Breach, or Termination of the Agreement***

1. The MLRP participant is required by law to pay monetary damages to MDPH, within one year from the time of the default, as noted below, if he/she fails to fulfill his/her service obligation. Failure to commence or complete service obligations will result in liability for funds to be repaid for funds provided for loan repayment. A schedule for repayment shall be established by MDPH if repayment has not begun within three months of notification that payment is due. The MLRP participant:
  - a. Will be required to pay a penalty equal to 100% of the contract maximum obligation if he/she defaults prior to reaching six months of service (based on the contract start date);
  - b. Will be required to pay a penalty equal to 75% of the contract maximum obligation if he/she defaults after completing six months of service, but prior to completing 18 months of service (based on the contract start date);
  - c. Will be required to pay a penalty equal to 50% of the contract maximum obligation if he/she defaults after completing 18 months of service but prior to completing 24 months of service (based on the contract start date).
2. The MLRP participant also may be in default and may be obligated to pay a penalty as outlined above if s/he demonstrates gross incompetence as determined by the site of employment, grossly violates employer or practice site personnel policies, or fails to comply with Massachusetts professional licensing requirements or the requirements of the program description.
  - a. All service obligations and penalties shall terminate upon the death of the health professional.

- b. The MLRP participant may be granted a temporary suspension of the MLRP obligation, consistent with the policies of the employing healthcare organization, if s/he must interrupt her/his service commitment because of a personal or immediate family illness or other emergency situation. Contract suspension will cover only the period of the medical leave or other emergency situation.
- c. Transfer requests are considered in extreme situations on a case by case basis. MLRP participants are expected to honor their contracts with the healthcare organizations and the MDPH. An example of when a transfer request might be considered is the closure of the healthcare organization. Should a transfer request be approved, the health professional will be expected to continue the service at another qualified site that is eligible and is able to employ the health professional.
- d. If the MLRP participant leaves the employing healthcare organization/site without prior approval from MDPH, s/he will be placed in default. See both #1 above and “Obligations of the Health Professional” on pages 15-16. Any change in employment other than a temporary suspension as described in item 2b. above, or a transfer request as described in item 2c. above, is considered a breach of contract.

#### 4.0 Performance Requirements and Contract Monitoring

*The following sections apply to BOTH Components A and C with some qualifications.*

##### Performance Requirements

Applicants will be evaluated by the information and representations provided pursuant to this program description. Both the Health Professional and the Employer must complete all sections of the application form. If the employer and the practice site are not the same, both parties have obligations and must be represented in the application.

The criteria below will be used in reviewing applications and assigning awards.

- Applicants must meet the health professional and employer and site qualifications identified (see Health Professional Qualifications and Eligibility and Evaluation Criteria)
- Applicants must work in a Healthcare organization (or eligible site if different) that meets the specified qualifications as noted for Component A or C.
- The need for particular language skills and/or other services in the community that match the health professional’s language or cultural skill.
- For component A: the employment site must be located in a HPSA relevant for the type of health professional applying to the MLRP.
- Consideration for an award will include the length of time that the healthcare site and community have been in need of the service provided by the health professional, the overall community need for the service including linguistic needs, and/or the health professional’s tenure at the healthcare organization. Rural areas as defined by the MDPH State Office of Rural Health will also be given preference.
- In order for an application to be considered for an award the application must be complete.
- Any history of compliance by the applicant, employer (and site, if different) with respect to this program or any comparable program operated or funded by the MDPH will be evaluated.

The PCO will also review the following over the course of the contract:

- Timely and accurate response to PCO requests for information such as loan payment verification and employment/service verification at the approved site;
- responsiveness to other relevant MDPH PCO inquiries; and
- compliance with Contract Performance Monitoring.

The Primary Care Office at the Department shall negotiate with contractors any requirements not set forth in the program description, including any potential changes to federal or state guidelines for this program implementation.

### **Contract Performance Monitoring**

The Department of Public Health is endeavoring to deliver the best value to facilitate our needs. It is important to measure the contractor's (health professional) performance to ensure the contract is in compliance with what has been requested and what the health professional has offered. The following performance areas will be subject to measurement in that all contracted health professionals must:

1. Provide two complete years of full-time service, or its equivalent for part time employees in compliance with the employment contract at the approved eligible healthcare site, and meet requirements from Obligations of the Health Professional as outlined in this program description. The contracted health professionals must notify the MLRP administrator at the PCO in writing within ten working days if there are any material changes in employment.  
The contracted health professional who fails to complete her/his contracted service commitment will be required to repay the monetary damages as stipulated in the Scope of Service, Suspension, Breach or Termination of the Contract.
2. Submit to MDPH all application paperwork requested in this program description, in the time indicated, including proof that the award was used toward the student loan obligations.
3. Stay in compliance with all pre-requisites listed above in 'Evaluation Criteria' for the duration of the contract.
4. Respond to MDPH inquiries such as surveys, service verification, and related contract monitoring activities.
5. Be prepared to provide evidence that the entire award has been posted to the student loan account identified in this contract within 30 days of the payment issued to the health professional.
6. Employer (and site, if different) will maintain the "Obligations of the Healthcare Organization/Employer" outlined in this program description, including any notice of a health professional's termination or other breach of contract, within ten working days.

**5.0 Contract Invoicing:** N/A

**6.0 Evaluation Criteria:** N/A

### **7.0 Instructions for Program Application:**

In order to apply for the MLRP the [application](#). The applicant is responsible to make application based on the most current program description as posted on the website.

Submit one (1) completed original application containing all of the requested information, with all required signatures in blue ink, to:

**Nicole Watson  
MDPH - Primary Care Office  
250 Washington Street, 5<sup>th</sup> floor  
Boston, MA 02108-4619**

Applications are accepted on an ongoing basis and will be reviewed bi-annually in the Spring and Fall. The health professional will be notified when their application has been received by the Primary Care Office. If the health professional does not receive verification of application receipt within fourteen (14) working days please contact *Nicole Watson, PCO Recruitment and Retention Program Coordinator* at [Nicole.Watson@state.ma.us](mailto:Nicole.Watson@state.ma.us).

Questions may be submitted via email to: Nicole Watson at [Nicole.Watson@state.ma.us](mailto:Nicole.Watson@state.ma.us).

**8.0 RFR Attachments:** N/A